



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
Washington, D.C. 20460

OFFICE OF  
GENERAL COUNSEL

December 21, 2018

Abigail Smith  
Bloomberg Environment  
1801 S. Bell St.  
Arlington, VA 22202

Re: Freedom of Information Act Request No. EPA-HQ-2019-001132, Final Response

Dear Ms. Smith:

This is in reference to your Freedom of Information Act (FOIA) request received by the U.S. Environmental Protection Agency (EPA or Agency) on November 2, 2018. You requested "documents containing information on the calendar or calendar entries of EPA General Counsel Matthew Leopold from October 1, 2018, to October 31, 2018."

The Office of General Counsel has concluded its search for records responsive to your request and is providing a portion of the requested records. Portions of the records you requested are being withheld pursuant to 5 U.S.C. § 552(b)(5): the Deliberative Process Privilege, the Attorney Client Privilege, the Attorney Work Product Privilege; and 552(b)(6): Personal Privacy. Some of the records are exempt from disclosure because they are pre-decisional and deliberative and would harm agency decision making if released. Some of the records are confidential communications between an agency attorney and client concerning legal advice that were prepared by, or at the direction of, an attorney in contemplation of litigation, and/or contain personal information which would be an unwarranted invasion of personal privacy if released. As a courtesy, we did not assess a cost in processing your request.

This letter concludes our response to your request. You may appeal this response by email at [hq.foia@epa.gov](mailto:hq.foia@epa.gov), or by mail to the National Freedom of Information Office, U.S. EPA, 1200 Pennsylvania Avenue, N.W. (2310A), Washington, DC 20460. Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue. If you are submitting your appeal by hand delivery, courier service, or overnight delivery, you must address your correspondence to 1200 Pennsylvania Ave., N.W., Room 5315, Washington, DC 2460. Your appeal must be in writing, and it must be received no later than 90 calendar days from the date of this letter. The Agency will not consider appeals *received* after the 90-calendar-day limit. Appeals received after 5:00 p.m. EDT will be considered received the next business day. The appeal letter should include the FOIA tracking number listed above. For quickest

possible handling, the subject line of your email, the appeal letter, and its envelope, if applicable, should be marked "Freedom of Information Act Appeal." Additionally, you may seek dispute resolution services from EPA's FOIA Public Liaison at [hq.foia@epa.gov](mailto:hq.foia@epa.gov) or (202) 566-1667, or from the Office of Government Information Services (OGIS). You may contact OGIS in any of the following ways: by mail, Office of Government Information Services, National Archives and Records Administration, Room 2510, 8610 Adelphi Road, College Park, MD 20740-6001; email, [ogis@nara.gov](mailto:ogis@nara.gov); telephone, (202) 741-5770 or (877) 684-6448; or fax, (202) 741-5769.

If you have any questions concerning this response, you may contact me at (202) 564-0580.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Stachowiak", with a stylized flourish at the end.

Robert Stachowiak  
Acting Associate Deputy General Counsel  
Office of General Counsel

Enclosure